



U.S. Department
of Transportation

Research and
Special Programs
Administration

DOT-E 12383

JUL 3 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

EXPIRATION DATE: May 30, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Sealift Inc.
Oyster Bay, NY
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the stowage of closed steel freight containers of certain class 1 explosives, in the cargo hold adjacent to the machinery space, at a distance of less than three meters from the forward bulkhead of the machinery space. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.116(e)(3) in that the cargo hold containing explosives is adjacent to the forward bulkhead of the machinery space at a distance less than three meters.
5. BASIS: This exemption is based on the application of Sealift, Inc., dated October 29, 1999 and supplemental information dated November 5, 1999, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Class 1 explosives	1.1, 1.2, 1.3, 1.5	as appro- priate	II

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7. SAFETY CONTROL MEASURES:

a. The provisions of this exemption apply only to Class 1 materials when in closed freight containers and may not be used for the carriage of break-bulk cargo or cargo in open freight containers.

b. When partial cargoes are loaded with Class 1 material, the Class 1 material must be loaded as far as practical from the machinery space bulkhead.

8. SPECIAL PROVISIONS: None as a requirement of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.

10. MODAL REQUIREMENTS:

a. This exemption applies only to the vessels M/V "CAPT STEVEN L BENNETT" and M/V "MAJ BERNARD F FISHER" while they are operating under charter to the United States Navy Military Sealift Command.

b. The vessel's hold ventilation system must be maintained in the environmental or climate-controlled (temperature and humidity) mode.

c. A current copy of this exemption must be carried on-board each vessel when operating under the terms of this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: USCG/AM